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JAN 13 2006

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/665,090	
	Filing Date	9/13/03	
	First Named Inventor	WILHELM HABERKORN	
	Art Unit	3751	
	Examiner Name	Charles Phillips	
Total Number of Pages in This Submission	2	Attorney Docket Number	

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Letter to the Commissioner for Patents
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	W.A. Haberkorn	
Typed or printed name	W.A. HABERKORN	Date: 1-13-05

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January 13, 2006

In regards to: Patent Application 10/605,040

Mail Stop Petitions

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
FAX: (571) 273-8300

Dear Commissioner:

SUBJECT: UNINTENTIONAL DELAY


Failure to understand the required process on my part resulted in an **unintentional delay** at the Patent Office, and an abandonment of my referenced patent application. On 8/16/2005, a Notice of Allowance was issued with **No Fees Due**. I wrongly assumed, that no response on my part was required to achieve publication of said application.

Because of this misunderstanding, I am charged \$750 to file a petition to revive my patent application. My error was not to FAX a single sheet of paper, part B fee transmittal with **no fee due**, to another unit within your organization. I find this penalty excessive.

Let me suggest an alternate solution. Let us assume the Patent Office would have charged some administrative fee, say \$10, in the Notice of Allowance on 8/16/2005, and then I would have returned the payment post haste and avoided the penalty all together.

I have seen tremendous progress and simplification over the past few years in dealing with the Patent Office, and I hope that this letter supports your efforts to un-clutter administrative processes.

Sincerely,



Wilhelm Haberkorn